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Minutes

Meeting of the
Board of Elevator Regulations
July 15, 2025, at 1:00 p.m.

1 Federal Street, 6th Floor
Public Meeting Room 6026
Boston, MA. 02110-2012
Hybrid Meeting via Microsoft Teams

Board Members Present:

David Gaudet, Chair
Christopher Towski (remote)
Tim Morgan
Brian Ronan (remote)
Anthony Buonopane
Neil Mullane (remote)

Division of Occupational Licensure Staff:

Peter Kelley
Gayle Richardson
Jay Ryan
Johnny Rubyck

Board Members Absent:

David McGuire

Guests Present:

Daniel Koehler – DIVCO
Allie O'Mara – DIVCO
Eric Hollenburg
Nicholas Fonte – Sudbury Farms
Christen Parsons
John Cloutier
Shawn Holt - McDonald Electrical
Dave MacDonald - McDonald Electrical
Tommy Pasquantonio - Suffolk Construction
Brian Murphy - Suffolk Construction

Corinne Nawrocki - ABEL
Abigail Svetiev - ABEL
Thomas McKenzie - Kone
Jennifer Fonte
Deborah Bouvette
Jamie Whitman - McDonald Electrical
Ed Hood - McDonald Electrical

Call to Order: 1:06 p.m.:



1. Roll call.

2. VAR25-0022

[Exhibit 1]

250 Water Street Cambridge

State ID: 49-P-24323

Code Reference: ASME A17.1 Section 2.11.1.2

Petitioner: Justin DiConzo

Mr. Mullane took no part in the discussion of, or the deliberation upon this matter.

The petitioner is seeking relief from ASME A17.1; Section 2.11.1.2 – Emergency Doors in Blind Hoistways.

Thomas McKenzie gave a summary for the variance request and provided the elevator is a vivarium elevator that is currently used by the sole tenant of the building, Bristol Myers Squibb. Accessed on level one adjacent to the loading dock and traveling up to level five, three previous inspections were passed and given that they contend a variance should be granted. Installation of two emergency doors would be a hardship to undertake while the building is fully occupied. A17.1, 2.11.3 - code exemption for a telephone as an alternative for emergency doors was installed and is currently active. They presented architectural plans showing vivarium elevator on all levels.

David Gaudet reminded the petitioner that failure to apply a section of code is not a pass to not have to apply code. Mr. Koehler then reiterated that the building is fully active, in which 50 percent of the building is being used for office space and 50 percent is utilized for life sciences. The noise, dust, and vibrations would be disruptive to lab operations and specifically the chance of contaminants. They are trying to keep additional access points to a minimum due to the chances of adding contaminants.

After a detailed discussion by the board, Chris Towski moved to place the petition on hold until October 29, 2025, to allow the petitioner to return with a variance request for either one or more passway doors into the hoistway. Tim Morgan seconded the motion. David Gaudet gave a friendly amendment to the motion to deliver a proposal for adding blind hoistway access, including all references to code variances required, if needed, to which both Chris Towski and Tim Morgan assented. Vote 5-0-0 Deadline October 29, 2025.

Motion: Chris Towski

Seconded: Tim Morgan

Vote: On Hold until October 29, 2025

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Christopher Towski	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Tim Morgan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Brian Ronan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Anthony Buonopane	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain

Neil Mullane rejoined the meeting remotely via Teams at 2:03 p.m.

3. VAR25-0040
28 Edmands Road Framingham
State ID: 100-P-86
Code: A17.1 e section 8.7.2.27.4(c)(7)(a)
Petitioner: Jennifer Fonte

[Exhibit 2]

The petitioner is seeking relief from A17.1 section 8.7.2.27.4(c)(7)(a) – Controllers - by requesting a variance for an extension of time to complete compliance with fire recall code for an existing elevator.

Jennifer Fonte gave a summary of the variance request by providing that the building is fifty-six years old and the elevator is roughly seventy-six years old, as the elevator was a slightly used model (Wilson) upon installation in the building. Sometime between October and December 2023 the motor was replaced without their knowledge or being advised that replacing the motor would place them in the position of being in violation of 524 CMR code for fire service.

They have been trying to make updates but are now getting push back from the city of Framingham regarding violations for code for smoke detectors to be placed throughout the building as they do not have a fire system. Nick Fonte provided additional information in that the controller as well as the AC drive motor was replaced, as the old system was a pulley system and it was not viable to rebuild it. The building does have smoke and carbon monoxide detectors and fire extinguishers.

The elevator company is waiting for the city of Framingham to provide input as to whether the fire recall should be to the first-floor ground level or to the second-floor parking garage level. They have now had to hire an engineer to do plans for the town and are trying to do a tiered process with the town. They are trying to do the work needed for the fire service on the elevator but cannot move forward without getting town approval. Jennifer Fonte confirmed that Embree Elevator contacted the fabricator, and they are ready to go once the fire recall information has been provided.

Anthony Buonopane moved is to allow the petitioner temporary use during permitting and installing Fire Service Phase I and II per code requirement, to allow acceptance test and temporary use extensions at the discretion of the department, and to require the installation of temporary intercom between all elevator landings and the lobby. In addition, “In case of Fire” signage must be placed on each landing per code. The motion was seconded by Neil Mullane.. As amended, the motion made. Vote 6-0-0.

Motion: Anthony Buonopane

Seconded: Neil Mullane

Vote: Granted with conditions

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Christopher Towski	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Tim Morgan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Brian Ronan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Anthony Buonopane	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Neil Mullane	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain

5. VAR25-0041

[Exhibit 3]

530 Beacon Street Boston

State ID: 1-P-10002

Code: 524 CMR 17.03 (1) – Machine Ventilation

Petitioner: Christen Parsons

The petitioner is seeking a variance as they believe 524 CMR 17.03(1) does not apply. Elevator code from 9/9/93 is applicable.

John Cloutier gave a summary of information including that the elevator was permitted in 1996 and installed in 1997 with an acceptance test in 1998. Inspected in January of this year and was cited for section 17.03 for required venting. The elevator is a three-story elevator on a five-story building, with the elevator servicing the basement, 1st and 2nd levels for ADA accommodations. The 3rd, 4th and 5th floors of the building have no elevator access.

After discussion by the board, Tim Morgan moved to place the petition on hold for 60 days, until September 15, 2025, delaying the reinspection, to allow petitioner to provide a report from a MA engineer stating the elevator machine room and hoistway meet the condition of controlling smoke and hot gasses. The motion was seconded by Chris Towski. Vote 6-0-0 Deadline September 15, 2025.

Motion: Tim Morgan

Seconded: Chris Towski

Vote: On hold for 60 days

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Christopher Towski	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Tim Morgan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Brian Ronan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Anthony Buonopane	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Neil Mullane	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain

6. VAR25-0047, VAR25-0050 & VAR25-0051

[Exhibit 4]

700 Atlantic Avenue Boston

State ID's: 1-P-25557, 1-P-25555 & 1-P-25553

Code: 524 CMR Section 35 - 2.26.4 and 3.26.4

Petitioner: Chafic Eldamaa

The petitioner is seeking a variance for the EMR main line disconnect breaker switch handle being 18" from the lock jamb side of the door. Currently installed the switch handle is 24" from door.

Dave MacDonald gave a summary of information including that there is a two-level machine room, with the controllers on the 26th floor and the machines are on the 25th floor. The panel is a 600-amp fuse bucket panel which controls a total of six cars, which travel from the 9th floor to the 24th floor. Through a series of door changes and door swings, the handle closet to the door strike ended up being further than 18" away. The handles are lockable,

In addition, Mr. MacDonald provided the following additional information: the disconnect is located on the 26th floor. The main distribution panel for all six cars is in one machine room where the controllers are located and then through a series of two “R” rated cables, they hit three fuse disconnects, in the other machine room, which is not in violation. Six switches in the cabinet are for machine rooms on the 26th floor, one is for a separate service elevator on the 25th floor and three-four are for heat pumps that do the cooling for the seven elevator controllers. The original plan for the distribution panel was for it to be housed on the 25th floor, but due to size constraints it was moved to the 26th floor. The board verified that the picture provided to the board for review of the panel does not match the plans submitted for the permit and confirmed that the plans should have been updated with the changes that were made.

After questions from the board, Mr. MacDonald provided the following additional details including that the elevator numbers are stenciled on the actual controllers, and they also have “P” touches on each associated bucket in the panel. The disconnects are 200 amps fused and approximately 8” deep. There is no cover protecting the panel preventing a switch from inadvertently getting flipped but there are lockable disconnects that could be locked in the “on” position.

Shawn Holt reiterated that the reason behind the panel being moved was that the original design would have been an electrical code infraction.

Brian Murphy from Suffolk Construction requested to speak and was sworn in at that time. Mr. Murphy then stated he would like to show the board some drawings, which the Board denied but indicated could be submitted as new documentation if the petition is put on hold.

After discussion by the board, David Gaudet made a motion to place the petition on hold for 30 days, until August 14, 2025, to allow the petitioner to supply plans and documentation detailing a solution for the distribution panel, pursuant to today’s discussion. The motion was seconded by Tim Morgan. Vote 6-0-0 Deadline August 14, 2025.

Motion: David Gaudet

Seconded: Tim Morgan

Vote: On hold for 30 days

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Christopher Towski	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Tim Morgan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Brian Ronan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Anthony Buonopane	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Neil Mullane	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain

7. Approval of meeting minutes from June 3, 2025, and June 16, 2025. – tabled.

The minutes were tabled for a future meeting. No action was taken on this matter.

David Gaudet asked Board Counsel, Peter M. Kelley if the Administrative Business updates would need to be read aloud for the record. Mr. Kelley confirmed that the updates do not need to be read aloud as they will be reflected in the meeting minutes.

8. The following items are the Administrative Decisions or Withdrawals that have taken place since the last Board of Elevator Regulations meeting:
- VAR25-0011 for the address of 2222 Centre Street Boston, under State ID # 1-P-2055, was granted a variance by administrative decision that was issued on April 9, 2025.
 - VAR25-0042, VAR25-0043, VAR25-0044, VAR25-0045, and VAR25-0046 for the address of 2049 Dorchester Avenue Boston, under State ID's 1-P-6149, 1-P-6150, 1-P-11298, 1-P-11413, and 1-P-6151 were granted variances by administrative decision that were issued on May 30, 2025.
 - VAR25-0008, VAR25-0038 and VAR25-0039 for the address of 100 Summit Avenue Chelsea, under State ID's # 57-P-22578, 57-P-22579 & 57-P-22580 were granted variances by administrative decision that were issued on June 12, 2025.
 - Withdrawal notification received by email on June 16, 2025, for Variances VAR25-0016, VAR25-0018, VAR25-0019 and VAR25-0020.
9. The following item was read and filed: **[Exhibit 5]**
- Notification from Elevator Inspector Joseph Janis, EM-005665, of an inspection INS-737413, for State ID 341-L-107, which was cited, pursuant to 524 CMR 1.13(7), for safety issues, specifically there being mold in the machine room and pit, and given a 90-day notice of violation pursuant to 524 Code Mass. Regs. § 1.13(2).
10. Chris Towski moved to Adjourn the meeting. Motion was seconded by Brian Ronan. By unanimous decision the board adjourned at 4.27 p.m.

Motion: Chris Towski

Seconded: Brian Ronan

Vote: Unanimously agreed

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Christopher Towski	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Tim Morgan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Brian Ronan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Anthony Buonopane	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Neil Mullane	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain

Meeting adjourned at 4:27 p.m.

Prepared by: Gayle Richardson

Exhibit List:

Exhibit 1: Variance packet for 250 Water Street Cambridge
Exhibit 2: Variance packet for 28 Edmands Road Framingham
Exhibit 3: Variance packet for 530 Beacon Street Boston
Exhibit 4: Variance packets for 700 Atlantic Avenue Boston
Exhibit 5: Copy of unedited email for Joe Janis